

**MINUTES  
FREMONT CITY COUNCIL MEETING  
SEPTEMBER 13, 2011  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

**1.1 Call to Order:** Mayor Wasserman called the meeting to order.

**1.2 Flag Salute:** Councilmember Harrison led the salute to the flag.

**1.3 Roll Call:** Present: Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra.

**1.4 Announcements by Mayor/City Manager**

**2. CONSENT CALENDAR**

- \* **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

- \* **2.2 Approval of Minutes**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council approved the minutes for the Special and Regular Meetings of July 26, 2011, the Special Meeting of August 15, 2011, and the Special Meeting of August 24, 2011.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

- \* **2.3 Mayor Wasserman opened consideration to Authorize the City Manager to Enter Into a Three Year Contract with Option for Two, Two-Year Extensions with York Risk**

## **Services Group to Provide Workers' Compensation Claims Administration Services for the City of Fremont**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council authorize the City Manager or designee to execute an agreement with York Risk Services Group effective October 1, 2011 in the amount of \$651,000 for the first three years of service, with the option for two, two-year extensions in an increased amount not-to-exceed 5% of the previous year.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

### **\* 2.4 Mayor Wasserman opened consideration of a Report of Actions Taken by the City Manager during Council Recess, July 27, 2011 through September 5, 2011**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council received report acknowledging actions taken by the City Manager or designee during the recess.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

### **\* 2.5 Mayor Wasserman opened consideration to Authorize the City Manager, or Designee, to Issue a Purchase Order and to Execute Implementing Documents with Tiburon, Inc., for Annual Software Maintenance of Computer-Aided Dispatch, Automated Report Writing, Records Management, Jail Management, and Property System Applications**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council authorized the City Manager, or designee, to issue a purchase order to Tiburon, Inc., and to execute implementing documents for the annual software support of the Computer-Aided Dispatch, Automated Report Writing, Records Management, Jail Management, and Property System applications in the amount of \$129,550.00, including applicable sales tax.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

**\* 2.6 Mayor Wasserman opened consideration to Accept the Highway Safety Improvement Program (HSIP) Grant and Appropriate the Grant Funds to the Intersection Improvements at Fremont Boulevard and Eggers Drive Project (PWC8787)**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council:

1. Authorized the City Manager or designee to accept the HSIP grant and to execute any associated grant documents.
2. Approved appropriation of funds in the grant amount of \$316,200 to 522PWC8787 (Intersection Improvements at Fremont Boulevard and Eggers Drive).
3. Approved transfer of funds in the amount of \$35,200 from 531PWC7953 (Traffic Improvement Program at Various Locations) to ~~522PWC8787~~ 531PWC8787 (typographical error corrected on 11/14/2011) (Intersection Improvements at Fremont Boulevard and Eggers Drive).
4. Authorized staff to begin design of the Intersection Improvements at Fremont Boulevard and Eggers Drive.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

**\* 2.7 Mayor Wasserman opened consideration of a Resolution Approving a New Memorandum of Understanding (2011-2013) with Operating Engineers Local 3 (OE3)**

Staff requested the City Council remove this item from the Council Agenda and reschedule for a future Council meeting.

**\* 2.8 Mayor Wasserman opened consideration to Fund Appropriations, Approve Plans and Specifications, and Award Contract to the Lowest Responsive Responsible Bidder for the Nature Learning Center, City Project No. 8744 (PWC)**

This item removed from the Consent Calendar. Public Works Director and Rob Kalkbrenner provided an overview of the project. On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council:

1. Approved appropriation of \$30,000 from Urban Runoff Clean Water Fund Balance (Fund 123) to 123PWC8744 for the construction of a Modular Nature Learning Center in Central Park.
2. Approved the plans and specifications for the Nature Learning Center, City Project No. 8744 (PWC).
3. Awarded a contract for the Nature Learning Center, City Project No. 8744 (PWC), to Guerra Construction Group in the amount of \$137,942, and authorized the City Manager, or designee, to execute the contract.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

**\* 2.9 Mayor Wasserman opened consideration of a Resolution Approving a new Memorandum of Understanding (2011-2013) with the Fremont Association of City Employees (FACE)**

On a motion by Councilmember Natarajan, seconded by Councilmember Harrison, the City Council adopted Resolution No. 2011-56 approving a two-year Memorandum of Understanding (MOU) for the period of July 1, 2011 through June 30, 2013 between the City and the Fremont Association of City Employees (FACE), and authorized the City Manager to execute the MOU.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

**3. CEREMONIAL ITEMS – None.**

**4. PUBLIC COMMUNICATIONS**

**4.1 Oral and Written Communications**

David Urrutia expressed concern for the remote control vehicle club being displaced by BART and proposed other RC vehicle options. Margaret Thornberry (Fremont Art Association) invited Council and the public to enjoy “Plein Air Paint Project” scheduled for Saturday, September 17. Lowell Aspelund expressed various concerns regarding tree and street maintenance.

**5. SCHEDULED ITEMS – None.**

**6. REPORT FROM CITY ATTORNEY**

**6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action**

**7. OTHER BUSINESS – None.**

**8. COUNCIL COMMUNICATIONS**

**8.1 Council Referrals – None.**

\*Consent Items

**8.2 Oral Reports on Meetings and Events – None.**

- 9. ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 7:20 p.m.

Attest:

Approved:

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Nadine Nader, City Clerk

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ANU NATARAJAN, Vice Mayor